सार्वजनिक बांधकाम विभागात काम करणा-या कंत्राटदाराची नामनोंदणी (Enlistment of PWD Contractors) बाबत मार्गदर्शक सूचना

महाराष्ट्र शासन
सार्वजनिक बांधकाम विभाग
शासन निर्णय क्र. संकिर्ण-२०२०/प्र.क्र. १४७/इमा-२
मंत्रालय, मुंबई - ४०० ०३२
दिनांक : ३० जुलै, २०२०

संदर्भ : १. शासनाचे परिपत्रक क्र. संकिर्ण ०५/०६/प्र.क्र.५३/इमार, मंत्रालय, मुंबई ४०० ०३२, दिनांक २८ सप्टेंबर २००६.
२. शासनाचे परिपत्रक क्र. जीसीटी १०५६-सी/८४२३-बी सचिवालय मुंबई, दिनांक ३० ऑक्टोबर १९५६.
३. शासन निर्णय क्रमांक सीएटी २०१७/प्र.क्र.८/इमा-२ दिनांक १२.०४.२०१७
४. शासन शुध्दीपत्रक क्रमांक सीएटी २०१७/प्र.क्र.०८/इमा-२ दिनांक २९.०६.२०१७
५. शासन निर्णय क्रमांक सीएटी १०९६/प्र.क्रं.१७२/इमा-२/(संकीर्ण २०१७/प्र.क्र.९४/इमारती-२) दिनांक १६.८.२०१७ व शुध्दीपत्रक दिनांक २१.०९.२०१७
६. महाराष्ट्र शासन, सार्वजनिक बंधकाम विभाग, शासन निर्णय क्र. सीएटी/२०१८/प्र.क्र.१२७/इमा-२, मंत्रालय, मुंबई ४०० ०३२ दिनांक २८ नोव्हेंबर २०१८
७. महाराष्ट्र शासन, सार्वजनिक बंधकाम विभाग, शासन निर्णय क्र. सीएटी/२०१७/प्र.क्र.०८/इमा-२, मंत्रालय, मुंबई ४०० ०३२ दिनांक २७.०९.२०१८.
८. महाराष्ट्र शासन, सार्वजनिक बंधकाम विभाग, शासन निर्णय क्र. सीएटी/१०९६/प्र.क्र.१७२/इमा-२, संकिर्ण-२०१७/प्र.क्र.९४/इमारती-२/मंत्रालय, मुंबई ४०० ०३२ दिनांक १६ ऑगष्ट २०१७
९. महाराष्ट्र शासन, सार्वजनिक बंधकाम विभाग, शासन निर्णय क्र. संकिर्ण-२०१८/ प्र.क्र.१५१/इमारती-२, मंत्रालय मुंबई ४०००३२, दिनांक १४ जानेवारी २०१९.

प्रस्तावना :

दिनांक ३०.१०.१९५६ च्या परिपत्रकात कंत्राटदार काम करत असतांना, त्यांच्याकडून देशद्रोही कारवाई, शासकीय संपतीचा अपहार, निकृष्ट दर्जाचे बांधकाम करणे शासकीय अधिका-यांवर दबाव आणून कामे करुन घेणे इत्यादी बाबी दिसून आल्यास या प्रवृत्तीला आळा घालण्याच्या दृष्टीने दंडनीय कार्यवाही करण्यासंदर्भात मार्गदर्शक सुचना निर्गमित केलेल्या आहेत.

दिनांक २८.०९.२००६ च्या परिपत्रकात कंत्राटदाराने कामांची गुणवत्ता योग्य दर्जाची न ठेवल्यास दंडात्मक कार्यवाही अथवा शासन नुकसानीचे भरपाई इत्यादी बाबत १) ताकीद २) पदावनती ३) नोंदणी रद्द करणे ४) काळया यादीत टाकणे या कार्यवाहीचे प्रकार निश्चित करण्यात आलेले आहेत. तसेच कार्यवाही बाबत पध्दती (Process) व अभिलेख ठेवणे याबाबतही दिशादर्शक सुचना निर्गमित केलेल्या आहेत.

सार्वजनिक बाधकाम विभागात काळानुरूप निविदा कार्यपध्दतीत सुधारणा करुन सोपी करुन गुणात्मकरित्या आमुलाग्र बदल करण्यात आलेला आहे. यामध्ये निविदांमध्ये निकोप स्पर्धा होणे व जास्तीत जास्त स्पर्धात्मक देकार मिळावे या दृष्टीने रु.१.५ कोटी किंमतीच्या वरील कामांकरीता निविदा सादर करणारे कंत्राटदार सा.बां.विभागाकडे पंजीकृत कंत्राटदार असणे आवश्यक नसल्याचे धोरण निश्चित करण्यात आले आहे. या अन्वये या कार्यपध्दती अंमलबजावणीस्तव वरील संदर्भाधीन शासन निर्णय क्र. ३, ४ व ५ अन्वये निर्देश निर्गमित करण्यात आलेले आहेत. या पध्दतीस अनुसरुन कंत्राटदारामार्फत विविध प्रकारची कामे करुन घेण्यात येत आहेत. तथापी सद्यस्थितीत कामासाठी आवश्यक सर्व यंत्रसामुग्री, मटेरिअल्स, मजूर, साहित्य इ. सर्व सोयीसुविधा उपलब्ध असतांना, कामात दिरंगाई करणे, गुणवत्तापूर्ण न करणे, निर्देशाप्रमाणे त्रृटीपुर्तता न करणे, दोष निवारण दायीत्व कालावधीत दुरुस्ती न करणे, इ. व इतर संबंधीत अन्य कारणांसाठी कंत्राटदारावर

दंडात्मक कार्यवाही करणेबाबत पुर्नविचार करणे व नव्याने मार्गदर्शक दिशानिर्देश निर्गमित करणे आवश्यक असल्याचे दिसून आले आहे. सदरहु बाब शासनाचे विचाराधीन होती. यास अनुसरुन खालील प्रमाणे शासन निर्देश अंमलबजावणीस्तव निर्गमित करण्यात येत आहेत.

<u>शासन निर्णय :</u>

सार्वजनिक बांधकाम विभागात सद्य:स्थितीत कामे कार्यान्वयीत करणारे रु.१.५० कोटी रुपयापर्यंतची नोंदणीकृत कंत्राटदार तसेच रु.१.५० कोटी अधिकच्या किंमतीची कामे करणारे कंत्राटदार यांनी कामाची निविदा भरतांना ख-या स्वरुपात आवश्यक कागदपत्रे सादर करणे, कार्यारंभ आदेश निर्गमित झाल्यावर करारनाम्यानुसार नेमून दिलेले काम विहीत कालावधीत गुणवत्तापुर्णतेने, संपूर्ण सुरक्षेसह पुर्ण करणे, दोषनिवारण कालावधीत कामातील त्रुटींची क्षेत्रिय अधिका-यांनी दिलेल्या निर्देशांप्रमाणे पुर्तता करणे बंधनकारक आहे. सार्वजनिक बांधकाम विभागात कामे करणा-या कंत्राटदारातर्फे करण्यात येणा-या कामाचा दर्जा व अपेक्षित दर्जा न राखल्यास त्यानुसार कंत्राटदारावर करावयाची कार्यवाही याबाबत एकसुत्रता आणण्यासाठी दिनांक ३०/१०/१९५६ व दिनांक २८/०९/२००६ चे शासन निर्णय अधिक्रमित करुन खालील सूचना व कार्यपध्दती निर्गमित करण्यात येत आहे.

(अ) **सा. बां. विभागातील कंत्राटदाराचे नामनोंदणी** (Enlistment of PWD Contractors)

सार्वजनिक बांधकाम विभागात कामे करणा-या कंत्राटदाराचे त्यांनी केलेल्या कामाच्या दर्जावर मूल्यांकन व्हावे या दृष्टीने तसेच कामाच्या दर्जामध्ये त्रुटया आढळल्यास करावयाच्या दंडात्मक कार्यवाहीबाबत "सार्वजनिक बांधकाम विभागात कंत्राटदाराची नामनोंदणी नियम-२०२०" निर्गमित करण्यात येत आहे. सदर नियम शासन मान्यता मिळाल्याच्या दिनांकापासून लागू होतील. सदर नामनोंदणी नियम २०२० प्रपत्र-१ म्हणून सोबत जोडले आहेत.

१.१ सा. बां. विभागामध्ये काम करणा-या वर्ग-४ ते वर्ग-९ या वर्गवारीमध्ये कामे करणारे नोंदणीकृत कंत्राटदार, रु.१.५० कोटी पर्यंतची कामे करणारी सुशिक्षीत बेरोजगार अभियंता तसेच वर्ग-अ व वर्ग-ब मध्ये कामे करणारी मजूर सहकारी संस्था यांचे नामनोंदणी ही जिल्हयातील कार्यकारी अभियंता यांचेतर्फे करण्यात येईल. नामनोंदणी नियम २०२० नुसार सदरील कंत्राटदाराना अनुक्रमे Category I(a), I(b), I(c) मध्ये नामनोंदणी करावयाची आहे. सदरील नामनोंदणी करीता हया कंत्राटदारांनी त्यांनी मागील ५ वर्षात कार्यान्वयीत केलेल्या/प्रगतीत असलेल्या कामांबाबत तपशीलासह इतर दस्ताऐवज जसे संबंधीत विभागाकडून प्राप्त (Annexure-IV) कामाबाबतचे प्रमाणपत्र, कामनिहाय कामांचा दर्जा प्रमाणीत केलेले दस्ताऐवज (Annexure-IV A), सक्षम अधिकारी यांनी कामाबाबत लिहीलेल्या कंत्राटदाराच्या गोपनीय अहवालासह (Annexure-V) सा. बां. विभागाच्या वेबसाईटवर ऑनलाईन अर्ज दाखल करावयाचा आहे. सदर अर्ज दाखल केल्यावर प्रगतीतील कामांबाबत संबंधीत अधिकारी यांनी निरीक्षण केल्यावर कामाचा दर्जा व इतर बाबी लक्षात घेऊन कंत्राटदाराचे मूल्यांकन सक्षम अधिकारी यांचेतर्फे करण्यात येऊन सदर कंत्राटदारास त्यांनी केलेल्या गुणवत्तेच्या आधारे सा.बां.विभागात काम करण्यास नामनोंदणी देण्यात येईल. सदर नामनोंदणी ही कंत्राटदारास यापुढील कामांबाबतच्या निविदा भरण्याकरीता अनिवार्य असेल. नामनोंदणी प्रमाणपत्राशिवाय भरण्यात आलेली निविदा ही अपात्र म्हणून ठरविण्यात येईल. कंत्राटदारांनी केलेली नामनोंदणी ही तीन वर्षाकरीता वैध राहील व त्यानंतर त्यांनी पुन्हा सदर नोंदणी करुन घेणे आवश्यक राहील.

१.२ कंत्राटदारातर्फे त्यांनी कार्यान्वयीत केलेल्या कामाकरीता Annexure IV / VA ह्या नमुन्यात तपशील संबंधीत कार्यकारी अभियंता यांचेकडे सादर करणे अनिवार्य असून त्याशिवाय त्या कामाची सुरक्षा ठेव रक्कम परत करण्यात येणार नाही.

१.३ नामनोंदणी नियमावली २०२० नुसार सा. बां. विभागामध्ये कामे करणारे अनोंदणीकृत कंत्राटदारांना त्यांनी केलेल्या कामांच्या किंमतीनुसार खालील वर्गवारी निश्चित करण्यात आली आहे.

Category II(a) - रु. १.५० कोटी ते ५.०० कोटी किंमतीची कामे करणारे कंत्राटदार

Category II(b) - रु. ५ कोटी ते १५ कोटी किंमतीची कामे करणारे कंत्राटदार

Category II(c) - रु. १५ कोटी ते ५० कोटी किंमतीची कामे करणारे कंत्राटदार

Category II(d) - रु. ५० कोटी पेक्षा जास्त किंमतीची कामे करणारे कंत्राटदार

१.३.१ जास्त किंमतीची कामे करणारी कंत्राटदारांनी कमी किंमतीची कामे करीत असल्यास त्यांना कुठल्याही एका महत्तम वर्गवारीत नोंदणी करणे आवश्यक राहील. परंतु त्यांनी त्यांचे सर्व किंमतीच्या कामांच्या दर्जाबाबत तपशील त्यांचे नामनोंदणीस संबंधीत सक्षम अधिकारी यांचेकडे सादर करावा.

१.३.२ सर्व अनोंदणीकृत कंत्राटदारांनी उपरोक्त वर्गवारीमध्ये त्यांचेद्वारे कार्यान्वयीत केलेल्या मागील ५ वर्षातील कामांबाबत सा.बां.विभागामध्ये वा इतर शासकीय निमशासकीय विभागात (म्हाडा, सिडको, एमआयडीसी, महावितरण इ.) त्यांनी केलेल्या कामाबाबत Annexure-IV मधील प्रमाणपत्र, कामनिहाय कामांचा दर्जा प्रमाणित केलेले दस्ताऐवज Annexure-IV A, सा. बां. विभागाव्यतिरिक्त इतर विभागातील प्रगतीतील काम असल्यास त्याबाबत सा. बां. विभागातील सक्षम अधिकारी यांची पाहणी अहवाल (Inspection Report as per Annexure-IV A), सा. बां. विभागाकडील कामांबाबत कामनिहाय गोपनीय अहवाल इत्यादीसह सा. बां. विभागाच्या वेबसाईटवर ऑनलाईन अर्ज दाखल करायचा आहे. Online अर्ज दाखल करतांना नामनोंदणी नियमावली मध्ये नमूद सर्व आवश्यक दस्तऐवज हे कंत्राटदाराने स्वत:च्या डीजीटल स्वाक्षरीने साक्षांकीत करणे आवश्यक आहे. अश्या स्वरुपाचे डीजीटल साक्षांकीत दस्तऐवज सादर न केल्यास सदर अर्ज फेटाळण्यात येईल. सदर अर्ज दाखल केल्यावर सक्षम अधिकारी यांचे छाननीअंती कंत्राटदाराने केलेल्याकामांचा दर्जा लक्षात घेऊन कंत्राटदाराचे मूल्यांकन करुन सक्षम अधिकारी यांचेकडून Enlistment प्रमाणपत्र जारी करण्यात येईल.

२.० उपरोक्त पध्दतीप्रमाणे सा. बां. नामनोंदणी झालेल्या कंत्राटदारांतर्फे खालील बाबींचे उल्लंघन झाल्याचे आढळल्यास नामनोंदणी यादीतून काढणे, काही कालावधीकरीता कामे करण्यास प्रतिबंध अश्या स्वरुपाची दंडात्मक कार्यवाही करण्यात येईल.

१. शासकीय निधिचा अपहार करण्यात सहभाग आढळल्यास किंवा
(Involved in misappropriation of Government Money or)

२. भ्रष्टाचार अथवा इतर गंभीर गुन्हा, वागणूक बाबत शिक्षा झाल्याचे/दोषी ठरविल्याचे आढळल्यास किंवा
(Convicted for an offense involving corruption or any other services actor conduct etc;) or

३. एकापेक्षा जास्त वेळा करारनाम्यानुसार काम समाधानकारक पुर्ण न केल्यास किंवा
(has, on more than one occasion failed to execute a contract or has execuited it unsafisfactory, or)

४. दोषपूर्ण काम केल्याचे आढळल्यास (Constructional Defects) किंवा
(is proved to be responsible for constructional Defects in more than one work or)

५. सा. बां. विभागातील क्षेत्रिय अधिकारी यांचे विभागीय चौकशी प्रकरणात दोषा अंतर्गत कमी दर्जाची कामे कार्यान्वयीन केल्याचे सिध्द झाल्यास किंवा

(has executed works which were found to be substandard during the course of departmental enquiry against delinquent officials or)

६. करारनाम्यातील महत्वाच्या कलमांचा भंग / उल्लंघन केल्यास किंवा
(Persistently violates any important conditions of the contract or)

७. **कार्यादेश निर्गमित झाल्यावर काम करण्यास असमर्थता दर्शविल्यास, खोटी बँक गॅरंटी सादर केल्यास, बँक गॅरंटीची मुदत वाढवून देण्यास असमर्थता दर्शविल्यास.**

८. नामनोंदणी नियमावलीतील तरतूदीचे पालन न केल्यास किंवा
(Fails to abide by the Conditions of enlistment or)

९. चुकीची माहिती देणे / खरी माहिती लपविणे / खरी माहिती लपवून नामनोंदणी करणे किंवा विभागातील निविदा प्राप्त करणे किंवा
(Found to have given false particulars / material concealment or suppression of facts or misrepreseatation of facts at the time of enlistment or in the process of tendering or)

१०. भ्रष्टाचार, फसवणूक, दबावतंत्र वा इतर अमान्य पध्दतीने निविदा प्रक्रियेत सहभाग असल्याचे आढळल्यास किंवा
(has indulged in any type of corrupt, fraudulent, coercive, undsivable or restrictive practice in the tendering process or)

११. बोगस दस्ताऐवजाच्या आधारे विभागाकडे दावे सादर करणे किंवा
(Advancing a claim on the basis of forged documents or)

१२. विभागास सूचना न देता व मंजूरी न घेता कंपनीचे भागीदार बदलविणे / कंपनीचे नाव बदलविणे किंवा
(Changes in constitution of the firm or individuals or changes the name of the firm / company without prior approval of enlistment Authority or)

१३. विभागास सूचना न देता कंपनीचा कायमचा पत्ता / business पत्ता बदलविणे किंवा
(Changes permanent address/ business address without intimation to enlistment Authority or)

१४. कंत्राटदार कंपनी दिवाळखोर, विभाजीत झाल्याचे घोषीत केले असल्यास किंवा
(Is duclaned or is in the process of being decared bankrupt, insolvent, wound up, dissolved or partitioned or)

१५. कामांवरील मजूरांच्या बाबतीत नियमावली व नियम वारंवार सूचना देऊनही न पाळल्याबद्दल किंवा
(Persistently violates the labour regulations & rules or)

१६. इतर विभागाकडील कामांबाबत गंभीर स्वरुपाची तक्रारीमध्ये कंत्राटदारचा प्रामुख्याने समावेश असल्यास किंवा
(is involved in complaints of seriovs nature received from other departments which prima farie appears to be true or)

१७. बांधकाम कामगार नोंदणी न करणे, शासकीय विमा निधी अंतर्गत विमा न उतरविल्यास, कर्मचारी भविष्य निर्वाह निधी नोंदणी न केल्यास, आयकर, करारनामा कर, जकात, कर्तव्य व आकार जसे कामगार उपकर इत्यादीचे भूगतानास हलगर्जीपणा केल्यास किंवा
(default in Registration of labours, Insurance of work, Labour provident fund and ¤¤¤.. settlement of tax dues like income tax, contract tax, Octroi, duties, levies, labour cess etc. or)

१८. राष्ट्रीय सुरक्षा धोक्यात आणणारी इतर कुठलेली प्रकरण वा परिस्थिती उद्भवल्यास किंवा
(any other case or situation involving national security or)

१९. दोषनिवारण कालावधीनंतर कंत्राटदाराने केलेल्या कामांमध्ये असलेल्या सुप्तदोषांमुळे (जसे दर्जाहिन बांधकाम साहीत्याचा वापर, चुकीची बांधकाम पध्दत, चुकीचे संकल्पन इत्यादी) केलेल्या बांधकाम संकल्पित आयुष्यमानाच्या अगोदरच विनावापर वा निकामी घोषीत करावयाची परिस्थिती उद्भवल्यास
(atent defects noticed after expiry as defect liability oeried due to low quality of construction materials, defects in construction methodology, design defects leading to failure of structure before the design life)

(ब) **कंत्राटदारावर दंडात्मक कार्यवाही करणे**

उपरोक्त परिच्छेद २ मध्ये कारणांमुळे सा. बां. विभागात नामनोंदणी केलेल्या कंत्राटदारावर दंडात्मक कार्यवाहीची परिसिथती उद्भवल्यास संबंधीत कार्यकारी अभियंता नमूद कारणास्तव लेखी नोटीस कंत्राटदारास जारी करतील. सदर कंत्राटदारावर दंडतात्मक कार्यवाहीचा प्रस्ताव Category I मधील नामनोंदणी केलेल्या कंत्राटदाराबाबत मंडळ कार्यालयास व Category II मधील नामनोंदणी केलेल्या कंत्राटदाराबाबत प्रादेशिक कार्यालयास प्रस्ताव कार्यकारी अभियंता यांनी १५ दिवसाच्या कालावधीत सादर करतील. सदर प्रस्ताव प्राप्त झाल्यावर संबंधीत कंत्राटदार तसेच विभागातील अधिका-यांना बाजू मांडण्याची संधी दिल्यावर संबंधीत अधिक्षक अभियंता (Category I संबंधी) व मुख्य अभियंता (Category II संबंधी) लेखी निर्णय सर्व संबंधीतांना कळवतील.

विभागाने सादर केलेल्या प्रस्तावातील दोषारोपामधील बाबी सिध्द झाल्याचे आढळल्यास खाली नमुद केल्यानुसार दंडात्मक कार्यवाही संबंधीत वर्गवारीमध्ये नामनोंदणी केलेल्या कंत्राटदाराविरुध्द करण्यात यावी. दंडात्मक कार्यवाही नमूद विशिष्ट कालावधी हा ३ वर्षे किंवा त्यापेक्षा कमी कालावधी हा दोषारोपांचे स्वरुप, व्याप्ती, परिमाण, आचारण दोषांमुळे कडक कार्यवाहीची आवश्यकता इत्यादीचा विचार करुन ठरविण्यात यावा.

नामनोंदणी वर्गवारी	सक्षम अधिकारी	दंडात्मक कार्यवाहीचे स्वरुप
१	२	३
Category I	अधीक्षक अभियंता	(अ) **किरकोळ शिक्षा** १) सक्त ताकीद देणे (ब) **जबर शिक्षा** १) पदानवती करणे

		२) १ वर्षाकरिता सा.बां. विभागातील नामनोंदणी यादीतून काढून टाकून त्याबाबतची माहिती सर्व शासकीय / निमशासकीय विभागांना कळविणे.
Category II	मुख्य अभियंता	**(अ) किरकोळ शिक्षा** १) सक्त ताकीद देणे **(ब) जबर शिक्षा** १) एक वर्षाच्या कालावधीकरीता नामनोंदणी यादीतून काढून टाकणे व सार्वजनिक बांधकाम विभागाच्या / महाराष्ट्र शासनाच्या संकेत स्थळावर-काळ्या यादीत॰ (Black Listing) नाव प्रकाशित करणे. २) ३ वर्षे किंवा त्यापेक्षा जास्त विशिष्ट कालावधीकरीता कंत्राटदारास नामनोंदणी यादीतून काढून टाकून सर्व संबंधीत शासकीय/निमशासकीय विभागास कळविणे व सार्वजनिक बांधकाम विभागाच्या महाराष्ट्र शासनाच्या / संकेत स्थळावर-काळ्या यादीत॰ (Black Listing) नाव प्रकाशित करणे.

(क) दंडात्मक कार्यवाहीचे प्रकार -

१) सक्त ताकीद देणे -

सा. बां. विभागातील नामनोंदणी केलेल्या सर्व कंत्राटदाराकडून कामाच्या संदर्भात गैरप्रकार घडल्यास (परिच्छेद क्रं.२ मधील अ.क्रं. ३, ४ करीता) अश्या पहिल्या गैरप्रकाराकरीता संबंधीत नामनोंदणी वर्गवारीनुसार सक्षम अधिकारी यांनी कंत्राटदारास सक्त ताकीद द्यावी. अश्या सक्त ताकीदीची नोंद संबंधीत कार्यकारी अभियंता/ अधीक्षक अभियंता यांनी कामाच्या कामगिरी अहवालात (Performance Report as per Annexure) कामाचे प्रतिवेदीत /पुनर्विलोकन करतांना नोंद घ्यावी. अश्या प्रकारची शिक्षा निश्चित करतांना शासनास कोणताही भुर्दंड पडणार नाही किंवा शासनाचे कोणतेही आर्थिक नुकसान होणार नाही याची दक्षता संबंधीत सक्षम अधिकारी यांनी घ्यावी.

वरीलप्रमाणे ताकीद देऊनही संबंधीत कंत्राटदाराच्या कामात सुधारणा न झाल्यास संबंधीत कार्यकारी अभियंता यांनी कंत्राटदारास लेखी नोटीस देऊन स्पष्टीकरण मागवावे. कंत्राटदारास त्याची बाजू मांडण्याची संध्दी द्यावी. तद्नंतर त्यांचे स्पष्टीकरण सक्षम अधिकारी यांना मान्य नसल्यास त्याची कारणे लेखी स्वरुपात नोंदवून सदरील कंत्राटदाराना जबर शिक्षा द्यावी.

२) पदावनती (Downgrade)

एखाद्या कंत्राटदारावर त्याने केलेल्या गैरप्रकाराकरीता (परिच्छेद २ मधील अ.क्रं. १,२,८,९,१०,११ व १८ वगळून) ताकीद देण्याची कार्यवाही करुन देखील त्या कंत्राटदाराच्या कामामध्ये गुणात्मक सुधारणा न झाल्यास कंत्राटदार ज्या वर्गात नोंदणीबध्द असेल त्या वर्गातून त्याच्या नजीकच्या खालच्या वर्गात पदानवती करण्यात यावी. पदानवती ही रद्द करुन कंत्राटदारास मूळ वर्गात नोंदणी करण्याकरीता त्या वर्गाकरीता पुन: सर्व पात्रता निकष पुर्ण करावे लागतील.

३) सा. बां. विभागाच्या नामनोंदणी यादीतून विशिष्ट कालावधीकरीता काढून टाकणे (Delisting of Contractor)

कंत्राटदाराचे नांव विशिष्ट कालावधीकरीता सा. बां. विभागाच्या नामनोंदणी यादीतून काढून टाकण्याची कार्यवाही ही सदर कंत्राटदारास सा. बां. विभागातील काळया यादीत टाकणे या कार्यवाहीस समरुप आहे. (Delisting action is equivalent to blacklisting of contractor from PWD for specified period)

कंत्राटदाराने केलेल्या परिच्छेद क्रं.२.०० मध्ये नमूद अ.क्रं.१ ते १८ गैरव्यवहाराकरीता संबंधीत सक्षम अधिकारी यांनी कंत्राटदारास त्यांची बाजू मांडण्याची संधी देऊन त्यांचे म्हणणे न पटल्यास तशी लेखी स्वरुपात नोंद ठेवून कंत्राटदारास सा.बां.विभागाच्या नामनोंदणी यादीमधून विशिष्ट कालावधीकरीता काढून टाकण्याची कार्यवाही करावी. सदर विशिष्ट कालावधी हा सक्षम अधिकारी यांनी कंत्राटदारावरील दोषारोपांचे स्वरुप, तीव्रता परिमाण, व्याप्ती, आचरण दोषांमुळे कडक कार्यवाहीची आवश्यकता इत्यादी लक्षात घेऊन निश्चित करावयाचा आहे.

कंत्राटदाराकडून झालेल्या कामामधील गैरप्रकाराची तीव्रता लक्षात घेऊन उपरोक्त नमूद दंडात्मक कार्यवाहीच्या क्रमाचा विचार न करता, वरील शिक्षापैकी कोणत्याही प्रकारच्या शिक्षेची संबंधीत कंत्राटदाराविरुध्द अंमलबजावणी करण्यास संबंधीत सक्षम प्राधिका-यांस राहील.

४) फौजदारी गुन्हा नोंदविले बाबत कार्यवाही.

परिच्छेद २ मधील खालील गैरव्यवहाराबाबत संबंधीत कार्यकारी अभियंता यांनी खालीलप्रमाणे कार्यवाही करावी.

अ.क्रं. ८ (चुकीची माहिती देणे / खरी माहिती लपविणे) खरी माहिती लपवून नामनोंदणी करणे किंवा विभागातील निविदा प्राप्त करणे.

अ.क्रं. ९ - भ्रष्टाचार, फसवणूक, दबावतंत्र वा इतर अमान्य पध्दतीने निविदा प्रक्रियेत सहभाग असल्याचे आढळल्यास

अ.क्रं.१० - बोगस दस्ताऐवजाच्या आधारे विभागाकडे दावे सादर करणे.

उपरोक्त गैरव्यवहारप्रकरणी संबंधीत कार्यकारी अभियंता यांनी कंत्राटदाराविरुध्द प्राथमिक गुन्हा दाखल करावा तसेच सदरील कंत्राटदारावर सक्षम अधिकारी यांनी सा. बां. विभागाच्या नामनोंदणी यादीमधून काढून टाकून सा. बां. विभागातील सर्व निविदांमध्ये भाग घेण्यास प्रतिबंधीत करावे. अश्या सर्व कंत्राटदाराची यादी इतर सर्व प्रादेशिक सा. बां. विभाग/ शासकीय / निमशासकीय यंत्रणास देखील पाठविण्यात यावी.

५) अभिलेख ठेवणे.

सा. बां. विभागाकडील नामनोंदणी कंत्राटदारावर दंडतात्मक कार्यवाहीबाबतचा अभिलेख कार्यकारी अभियंता यांनी Category I (a), I(b), I(c), अधीक्षक अभियंता यांनी Category II(a), (b) व Category II (c), (d) बाबत मुख्य अभियंता स्तरावर ठेवण्यात यावेत.

सा. बां. विभागाच्या वार्षिक कार्यालयीन तपासणीच्या वेळी संबंधीत अधिका-याने त्यांचे अधिपत्या खालील कार्यालयाचे वार्षिक निरीक्षणाचे वेळी त्या कार्यालयातील अभिलेख तपासावा.

(ड) दंडात्मक कार्यवाहीबाबत अपील :-

१.० उपरोक्त परिच्छेद (ब), (क) मध्ये नमूद कार्यपध्दतीनुसार सक्षम अधिकारी यांनी पारित केलेल्या दंडात्मक कार्यवाहीच्या आदेशाविरुध्द कंत्राटदारास अपील करावयाची असल्यास असा आदेश प्राप्त झाल्याच्या ३० (तीस) दिवसांच्या आंत त्याने खालीलप्रमाणे त्यावरील उच्च अधिका-यांकडे आपला अपील अर्ज दाखल करावा.

नामनोंदणी प्रवर्ग	अपीलीय अधिकारी
Category I(a), I(b), I(c)	अधीक्षक अभियंता
Category II(a), II(b)	मुख्य अभियंता
Category II(c), II(d)	सचिव रस्ते / बांधकामे

२.० अपीलीय अधिकारी यांनी कंत्राटदाराची तसेच विभागाची बाजू ऐकून घेतल्यावर सदर दंडात्मक कार्यवाहीचा आदेश कायम करेल किंवा बदल करेल किंवा परिस्थितीनुरुप आदेश पारित करेल, जेणेकरुन कोणत्याही कंत्राटदारावर अन्याय होणार नाही.

अश्या परिस्थितीत अपीलीय अधिकारी यांनी पारित केलेला आदेश अंतिम व बंधनकारक राहील.

६) आर्थिक वर्षाच्या प्रत्येक तिमाहीस सार्वजनिक बांधकाम विभाग Non performing कंत्राटदारांची काळी यादी संकेत स्थळावर प्रसिध्द करेलयांचे स्वाक्षरीने महाराष्ट्र शासनाच्या संकेत (रस्ते) अशी यादी सचिव . स्थळावर प्रसिध्द करण्यात येईल .

उपरोक्त शासन निर्णयाच्या अनुषंगाने सार्वजनिक बांधकाम विभागातर्फे वेगळयाने प्रसिध्द करण्यात आलेल्या तरतूदी / नियम / निर्णय देखील सा. बां. विभागातील नामनोंदणी करणा-या कंत्राटदारास लागू राहतील.

सदरील शासन निर्णयाच्या अनुषंगाने मुख्य अभियंता सार्वजनिक बांधकाम प्रादेशिक विभाग, नागपूर यांनी आयटीसीसी नागपूर यांचेमार्फत सार्वजनिक बांधकाम विभागातील कंत्राटदाराची नामनोंदणी करण्याबाबत संगणकीय प्रणाली सदर शासन निर्णय निर्गमित झाल्याच्या दिनांकापासून तीन महिन्याच्या कालावधीत विकसित करावी. सदर संगणकीय प्रणाली ही Registration of Contractor ह्या संगणकीय प्रणाली सोबत Integrate करण्याची कार्यवाही करावी.

सदरील संगणकीय कार्यप्रणाली विकसित होईपर्यंत सदर कार्यपध्दती Manualiy कार्यान्वयीत करावी.

सदर शासन निर्णय महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा सांकेताक २०२००७३०१४४४१३७८१८ असा आहे. हा शासन निर्णय डिजीटल स्वाक्षरीने साक्षांकित करुन काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने

Chandrashekhar Prabhakar Joshi

Digitally signed by Chandrashekhar Prabhakar Joshi
DN: c=IN, o=Government Of Maharashtra, ou=Public Works Department, postalCode=400032, st=Maharashtra, 2.5.4.20=2c8893d1513ab2ea4a7f8c612a31ac748bd05ab00efd5e22f2d25c9872e36d29, cn=Chandrashekhar Prabhakar Joshi
Date: 2020.07.30 16:55:53 +05'30'

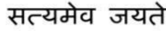
(चं. प्र. जोशी)
सचिव (रस्ते), महाराष्ट्र शासन

सहपत्र :: सार्वजनिक बांधकाम विभागातील कंत्राटदाराचे नामनोंदणी नियमावली - २०२०

प्रति,

१. मा. मुख्यमंत्र्यांचे सचिव / मा. मुख्य सचिव यांचे सहसचिव
२. मा. मंत्री (सा.बां.) यांचे खाजगी सचिव
३. अ.मु.स.(वित्त), वित्त विभाग, मंत्रालय, मुंबई
४. अ.मु.स.(सा.बां.)/सचिव (रस्ते)/सचिव (बांधकामे), सा.बां.विभाग, मंत्रालय,
५. महालेखापाल (लेखा व अनुज्ञेयता), महाराष्ट्र राज्य, मुंबई/नागपूर,

६. महालेखापाल (लेखापरिक्षा), महाराष्ट्र राज्य, मुंबई / नागपूर
७. अधिदान व लेखाधिकारी, मुंबई / निवासी लेखा अधिकारी, मुंबई
८. सर्व मुख्य अभियंते, सार्वजनिक बांधकाम प्रादेशिक विभाग व (विद्युत) विभाग
९. सर्व अधिक्षक अभियंते, सार्वजनिक बांधकाम मंडळ व (विद्युत) मंडळ,
१०. सर्व अधिकारी व कार्यासन अधिकारी, सार्वजनिक बांधकाम विभाग, मंत्रालय,
११. निवडनस्ती (इमारती-२)



Rules for Enlistment of Contractors in PWD 2020

Government of Maharashtra

Public Works Department





Government of Maharashtra
PUBLIC WORKS DEPARTMENT

INDEX

Rules for Enlistment of Contractors in PWD, 2020

1.0	**Title:** These rules shall be called the "Rules of Enlistment of Contractors in PWD, 2020" and shall come into force with effect from the 1st Day of …….., 2020
2.0	**Short Title:** Hereinafter these rules shall be referred to as "Enlistment Rules for the sake of brevity.
2.1	Term 'PWD' where ever occurring, includes Public Works Department, Government of Maharashtra, Maharashtra State Road Development Corporation Ltd. and any other unit encadered with PWD.
3.0	**Applicability**: PWD desires to enlist the contractors in different Categories on the basis of the quality of work performed. It is done to have a ready list of suitable and competent contractors for PWD works so as to allow only those contractors to continue in the list that remain active in PWD and perform satisfactorily. All registered contractors, Unemployed Engineers, Labour Co-operative Societies, Any Indian Individual, Sole Proprietorship Firm, Partnership Firm, Limited Liability Partnership, Public Limited Company or a Private Limited Company working in PWD have to apply for enlistment as a contractor in PWD under these Rules provided the eligibility criteria and other conditions are satisfied. The enlisted contractors have to abide by all the rules made herein and as amended from time to time during the currency of their enlistment.
3.1	No individual, or a firm/LLP/company having such individual as one of the partners/directors, who is a dismissed government servant; or debarred by department to participate in works removed from the approved list of contractors; or demoted to lower class; or having business banned/ suspended by any government department or Public Sector Undertaking or local body or Autonomous body in the past; or convicted by a court of law shall be entitled for enlistment. However, cases where disciplinary action was taken against the contractor for a specified period and such penalty period is already over, his case for enlistment can be considered.
3.2	No Engineer or any other official employed in Engineering or Administrative duties in any Engineering Department of the Government of Maharashtra is allowed to work in the PWD either as contractor or as employee of a contractor for a period of one year after his retirement from Government service unless he has obtained prior permission of Government of Maharashtra to do so. Even after enlistment, if either the contractor or any of his employees is found to be a person who had not obtained the prior permission of Government of Maharashtra as aforesaid, the name of the contractor shall be removed from the list of enlisted contractors.
4.0	**Scope** - The enlistment of a contractor in PWD shall only entitle him to be considered for participation in tenders subject to the conditions laid down in each individual Notice Inviting Tender. It shall not confer any right on him either to be necessarily qualify in the tender Process or qualify for award of work.
5.0	**Enlistment Categories/Classes, Enlistment Authorities, and Procedure –** The enlistment shall be done by the Enlistment Authorities in the categories and classes mentioned in 5.1 below. Registered office of the contractor shall be located within the same area as jurisdiction of Enlistment Authority for class and category in which enlistment is sought. In case of contractors having their registered office out of State, they shall enlist themselves in the nearest district headquarter Executive Engineer in the Maharashtra. The contractor may go through the instructions given at the end of these rules.

	(i) The existing registered contractors in class IV to Class IX performing works upto Rs. 1.50 Crores in Category I (a). (ii) The existing Unemployed Engineers performing works upto Rs. 15 lakhs & 30 lakhs are categorized in Category I(b) (iii) The Labour co-operative societies in Class A performing works upto Rs. 30 lakhs & in Class B for works upto 15 lakhs are categorized in Category I(c). (iv) The contractors/Firms/Joint venture firms / companies bidders those who executing works more than Rs. 1.50 Crores in PWD as individuals firms/companies are categorized in Category II(a), (b), (c) & (d). II (a) - Non-registered contractors tendering works from Rs. 1.50 Crore to Rs. 5.00 Cr. II (b)-Non-registered contractors tendering works from Rs. 5.00 Crore to Rs. 15.00 cr. II (c)–Non-registered contractors tendering works from Rs.15.00 Crore to Rs.50.00 Cr. II (d) – Non-registered contractors tendering works more than Rs. 50.00 Crore.
	(v) For all other categories of enlistment the application form in prescribed form (Annexure-I and Annexure-II) along with all supporting documents is to be submitted to authority given below with all documents as per Annexure II along with system generated electronic receipt of submission of online processing fee.

Category	Enlistment Authority	Officer to which application is to be submitted / online fee to be submitted
1	2	3
1) Registered Contractors I (a) Registered contractors from Class 4 to 9 I (b) Unemployed Engineer I (c) Labour Co-operative Societies.	Executive Engineer, P. W. Division concerned of Head quarter of District.	Concerned Executive Engineer of District Head quarter.
2) Non Registered contractors II (a) For works costing Rs. 1.50 Cr. to 5.00 Cr. II (b) For works costing Rs. 5.00 Cr. to 15.00 Cr. II (c) For works costing Rs. 15.00 Cr. to 50.00 Cr. II (d) For works costing more than Rs. 50.00 Cr.	(a) Superintending Engineer of Circle (b) Superintending Engineer of Circle (c) Chief Engineer of Region (d) Chief Engineer of Region	Concerned Executive Engineer of District Head quarter.

5.2	Applications received without Processing fee as per Rules or without Annexure-I as applicable and Annexure-II, duly signed, shall not be processed and the applicant shall be intimated accordingly. Incomplete applications and applications not accompanied with required documents are liable to be rejected. Applicants will be given opportunity to clarify and attend to shortcomings which shall be intimated at their given address. In the event of no response or incomplete response upto 5 weeks of issue of the letter by enlisting authority for any clarification, and/or seeking any document, the application will be filed as declined.
5.3	All verifications, submission of inspection reports related to works etc are to be pursued by the applicant. Any delay on account of delay in verification, submissions of reports etc will not entitle applicant for any type of enlistment or any other relief.
5.4	The enlistment authority shall have the right to independently verify the details furnished by the contractor and to get completed works and works under execution inspected and/or to obtain such reports as may be considered necessary like Inspection/Performance reports of completed and ongoing works, in regard to execution of works.
5.5	If the enlistment authority finds the contractor suitable for enlistment, it shall issue the enlistment order and, otherwise, send a letter of rejection/declination to the contractor. The decision of the enlistment authority shall be final and binding on the contractor.
5.6	The Chief Engineer PWD reserves right to notify period in any class or category on Regional/State/Location basis or any other manner during which no applications for enlistment/revalidation will be received. For any clarification or interpretation of any of the provisions of the Rules, the matter shall be referred to Chief Engineer PWD with the comments of the concerned Enlistment Authority. Secretary, Road/Works PWD shall be the competent authority to decide and make necessary amendments in the Enlistment Rules, as deemed fit.
6.0	**Validity of Enlistment** - The enlistment shall be valid for a period of three years from the date of issue of order or as mentioned in the enlistment order. The enlistment shall be open to review by the enlistment authority and liable to termination, suspension or any other such action at anytime, if considered necessary by the enlistment authority, after issue of show cause notice.
7.0	**Jurisdiction and Tendering Limits of Contractors** – At present the Public Works Department had the following categories and class of contractors for civil works.
	1) **<u>Registered contractors</u>**. (a) From Class IX to Class IV having limits to tender the works costing below. i) Class-IV -- Rs. 150.00 lakhs ii) Class-IV (A) -- Rs. 90.00 lakhs iii) Class-V -- Rs. 50.00 lakhs iv) Class-V (A) -- Rs. 30.00 lakhs v) Class-VI -- Rs. 15.00 lakhs vi) Class-VII -- Rs. 10.00 lakhs vii) Class-VIII -- Rs. 5.00 lakhs viii) Class-IX -- Rs. 3.00 lakhs (b) Unemployed Engineers carrying out works upto Rs. 150.00 lakhs

	(c) Labours Co-operative Societies Class-A -- Works upto Rs. 30.00 lakhs Class-B -- Works upto Rs. 15.00 lakhs
	2) **Non Registered contractors**. (a) For works costing -- Rs. 1.50 Crore to 5.00 Crore. (b) For works costing -- Rs. 5.00 Crore to 15.00 Crore. (c) For works costing -- Rs. 15.00 Crore to 50.00 Crore. (d) Cost more than -- Rs. 50.00 Crore.
7.0	The Administration of these rules shall be governed by the provisions existing at the particular point of time irrespective of when the enlistment was done.
8.0	**Eligibility Criteria** - The contractors shall have to satisfy the minimum eligibility criteria specified below, before they can be considered for enlistment. All contractors are expected to keep abreast with enlistment rules modified from time to time. The criteria for evaluation of performance of the contractor for the fresh enlistment shall be as per Annexure IV for the works executed in last 5 years. The performance of the contractor in the ongoing work of prescribed nature shall be made as per Annexure-IV A, V.
9.0	**Experience** - The criterion for experience, in case of enlistment shall be the completion of requisite number of works as per the quality of performance stated in 8.0 of these rules, of prescribed nature and magnitude executed on independent contract basis during the last five years. The works should have been executed in the same name and style in which the enlistment is sought by the firm. The applicant shall furnish list of completed works in Annexure (III-1) and list of work of works not yet completed (i.e. works in progress) in Annexure (III-2) as well as Client's Certificate regarding Performance of contractor in proforma Annexure-IV.
10.0	**Processing fee** – For various categories and classes, the contractor shall have to pay Online, Processing fee as prescribed in Table - below. **The Processing fee is non refundable**. The contractors are, therefore, advised to fully assess their fulfillment of the criteria/requirements of enlistment before applying and making the online payment. The Enlistment Authority shall not be responsible for refund of processing fees paid more than once on account of multiple transactions. Procedure for submitting Online processing fee is described in "Instructions for applicants" **Table: Processing Fee (in Rs.)**

Category	Processing fee (Rs.)
I	2000
II(a)	5000
II(b) to (d)	10000

11.0	**Change in Address** - While applying for enlistment, the contractor should mention address of his Registered office as well as Head/Branch Office, if different. All documents should bear one of the above addresses; otherwise the same shall not be accepted. The contractor shall intimate the change, if any, in any of the addresses in advance or maximum within one month of such change along with acknowledgement of noting down of such change in address from the Bank, Income Tax, GST authorities etc. Failure to do so may result in removal of his name from the approved list of contractors.
12.0	**Review of Approved List of Contractors** -The contractor shall be required to secure works of appropriate magnitude in PWD during the enlistment period with accepted quality. Contractors shall be liable to be weeded out for non-observance of enlistment rules. For this purpose the enlistment authority shall have the power to periodically review the approved list of contractors. In cases where the application is received after date of expiry of enlistment, but within three months of expiry, the application can be accepted with processing fee along with late fee equal to processing fee. The total fee in such cases shall be equal to double of the processing fee. Applications received, thereafter, shall not be accepted and contractor should apply for fresh enlistment, as per Enlistment Rules.
13.0	**Performance Reports:** The Contractor should fill up the details of each work, secured by him during the last enlistment period, in the proforma as given in Annexure V.
13.1	The Annexure-III-1 and Annexure-III-2 should include all works (completed as well as work in progress) secured by him during the last enlistment period. In case, the contractor hides any information, his revalidation will be liable to be cancelled.
13.2	The contractor should fill up the details in Part-I of the proforma as given in Annexure V, in duplicate. For each work, separate proforma should be filled. One copy of all the proforma should be submitted to the reporting officer and the acknowledgement obtained on the second copy of the proforma. The 2^{nd} copy should be submitted to the enlisting authority along with the application.

	It shall be mandatory for the contractor to submit the performance report (PR) of each work executed by him in the approved format duly filled with all the required details to respective Executive Engineer within 3 months of completion of work under intimation to enlisting authority as laid out in the preceding Para. However, there shall be no bar for Departmental officers to take cognizance of bad performance of the contractor where he deliberately avoids submission of PR. If the quality of work assessed in annexure-V is not satisfactory during currency of the validity of enlistment, then a show cause notice shall be issued to the contractor by the Enlistment Authority as to why his name should not be deleted from the approved list of the contractors & the decision taken by the Enlistment Authority on the recommendations of Empowered Committee considering explanation of the contractor, if any, regarding suspension of contractor for participating in PWD tenders, shall be final and binding.
14.0	**Inspection Reports** The agency shall provide all the necessary documents of work executed by him to the inspecting authority after receipt of intimation for inspection of work from department and shall accompany and facilitate the team of PWD officers for inspection of work. Apart from completed works, the ongoing works will also be inspected by team of PWD Officers. Necessary Inspection Report will be issued by Inspecting team in Annexure-IV-A. The grading of Quality and Capability of contractor in the Annexure-V, Annexure- VI will be based on the said Inspection reports of the ongoing works/completed works.
15.0	**Enlistment Procedure: -** The enlistment shall be done on the basis of review of performance of the contractor for works executed during the period of enlistment as well as on the basis of inspection of ongoing works. This shall be based on evaluation (as per Annexure VI) of performance reports/Inspection reports of works given in Annexure-III (1 & 2) & eligibility as per Rule 8.0 or as decided by the enlisting authority.
16.0	**Contractor's obligations -** The contractor should fulfill all his obligations under these rules in time and manner as specified, failing which he shall be liable for the action as mentioned therein. Some of the obligations are summarized below:- a) In principle approval shall be obtained from the enlisting authority before changing the name or constitution of the firm/company. b) Intimation of change of address should be given in advance or within one month along with acknowledgement from Banker, Income Tax and GST authorities. c) He shall abide by these enlistment rules. d) He should not indulge in unethical practices and maintain good conduct. He shall provide satisfactory explanation within 7 days wherever any action or bid or tender in whole or part appears unrealistic or unreasonable. e) He shall execute the works awarded to him strictly as per the terms and conditions of the contract and specifications.

	f) Contractor shall submit the performance report of each work executed by him in the approved format duly filled with all the required details to respective Executive Engineer within 3 months of completion of work under intimation to enlisting authority. g) Enlisted contractors shall have obligation to rectify/attend construction/structural defects observed after completion of work for a period of minimum 5 years from the date of completion of the work. Enlisted contractors shall have obligation to rectify / attend the failure of structure before expiry of design life of structure due to latent defects noticed.
17.0	**Disciplinary Actions -**The contractor shall abide by all the rules of enlistment and also by the terms and conditions of the contract and the Notice Inviting Tenders. He shall execute the works as per contract conditions and specifications. The enlisting authority shall have the right to demote a contractor to a lower class, suspend business with him for any period, debar him or remove his name from the approved list of contractors indefinitely or for a period as decided by enlisting authority after issue of show cause notice. The matters related to disciplinary action(s) will be examined by the Empowered Committee. The composition of Empowering Committee will be as below. **(a) For Category I(a), I(b), I(c)** (i) Executive Engineer, P .W. Division - Chairman (ii) Deputy Executive Engineer, P. W. Division - Member Secretary (iii) Divisional Accountant - Member **(b) For Category II(a) & II(b)** (i) Superintending Engineer, P. W. Circle - Chairman (ii) Assistant Superintending Engineer, P. W. Circle - Member (iii) Executive Engineer, P. W. Division - Member Secretary (iv) Divisional Accountant - Member **(c) For Category II(c) & II(d)** (i) Chief Engineer, P. W. Region - Chairman (ii) Superintending Engineer, P. W. Circle - Member (iii) Executive Engineer, P. W. Division - Member Secretary (iv) Divisional Accountant - Member **(d)** For all other Categories and Classes such as Unemployed Engineer / Labour Co-operative Societies, the respective Executive Engineer of the Project Regions/ Regions shall constitute the Empowered Committees at their level for Category and Class under their jurisdiction of enlistment. The decision will be taken by Enlistment Authority on the recommendations of Empowered Committee. Decision of the Enlistment Authority shall be final and binding on the contractor. The name of the contractor who has been suspended or banned shall be included immediately in the list of suspended / banned category of contractors uploaded on PWD Website so that the field offices have an immediate access to the information across the state and tenders of such contractors are not entertained. The following actions of the contractor shall, in general, make him liable to disciplinary actions.

17.1	**Demotion to a lower class -**The contractor shall be liable to demotion to a lower class, by the enlisting authority, if he: a) no longer owns adequate equipment, technical personnel or financial resources or neither deploys them on works on hire basis as against undertaking given by the contractor at the time of enlistment; or b) his staff misconducts or misbehaves with PWD officials on more than one occasion. c) is responsible for a conduct which may justify his demotion to a lower class; or delisting to undertaking PWD for specified period. d) any other reason which in view of enlisting authority is adequate for his demotion to a lower class or delisting to undertake PWD work for specified period.
17.2	**Suspension of Business :** Whenever adverse reports related to adverse performance, misbehavior, direct or indirect involvement in threatening, making false complaints, filing legal suites for frivolous reasons, suppression of facts/information while bidding for works , hampering tender process or execution of contract or any act, omission or commission etc damaging the reputation of department /officer or any other type of complaint considered fit by enlistment authority is received from any officer of PWD/MSRDC, not below the rank of Executive Engineer, in respect of any class/categories of contractor. The contractor shall be served with suitable show cause notice by the Enlistment authority and thereafter action for suspension of business be taken by the Enlisting Authority, as deemed fit, pending full enquiry into the allegations and decision by the Empowered Committee. If any of the charges are established then this would result in banning of business with the contractor for the period as decided by Enlistment Authority on the recommendations of Empowered Committee. The suspension shall automatically lapse at the end of 12 months from date of suspension if the Enlistment Authority does not decide within this period.
17.3	**Removal from the approved list:** The name of the contractor may be removed from the approved list of contractors, by the enlisting authority, if he: A. has, on more than one occasion, failed to execute a contract or has executed it unsatisfactorily; or B. is proved to be responsible for constructional defects and not complying to the instructions of removal of defects given in writing on two occasions, in one or more works; or C. persistently violates any important conditions of the contract; or D. fails to abide by the conditions of enlistment; or E. is found to have given false particulars at the time of enlistment; or F. has indulged in any type of forgery or falsification of records; or G. changes constitution of the firm or Individual or changes the name of the firm without in principal approval of the enlistment authority; or H. changes permanent address / business address without intimation to the enlistment authority; or I. is declared or is in the process of being declared bankrupt, insolvent, wound up, dissolved or partitioned; or J. persistently violates the labour regulations and rules; or

	K. is involved in complaints of serious nature received from other departments which prima facie appear to be true; or L. Default in settlement of tax dues like Income tax, Contract tax, , GST, Octroi, duties etc.; or M. has already been demoted for other reason(s); or N. Ceases to fulfill eligibility criteria based on which enlistment/revalidation was done; or O. is considered as not required to be in list of PWD contractors for any other reason considered fit by enlistment authority; or P. Does not start the work after the same is awarded to him on three occasions; or Q. Fails to rectify construction/structural defects within a reasonable time not exceeding 3 months, pointed out to him/her by Engineer-in-Charge during the period of 5 years from the date of completion of works. R. Fails to rectify latent defects noticed during the design life of structure. S. Fails to draw insurance, Labour registration, Labour insurance etc.

INSTRUCTIONS FOR APPLICANTS

A. For all categories online application is to be submitted for all categories. After applying online application as FINAL take the printout of the application through the Menu option Printout of the application option, sign it and send it to the authority given in Rule 6.1 by Speed Post only, along with all Supporting documents in ORIGINAL or Self-attested as required.

PROCEDURE FOR ONLINE SUBMISSION OF FORMS

1. Before applying Online, please download the Annexure -I and Annexure -II forms from the download link, fill it properly and check it and then apply it Online through this system.
2. Online Entry of Annexure-I and Annexure-II may be done for applying this online Application.
3. System will accept the Images (Photo* and Signatures) of the Partners / Directors only the JPG/JPEG format* Each Image size is accepted up to 80 Kilo Byte (KB) only.
4. System will accept all the Supporting documents (e.g. Annexure-III, Annexure-IV) only in the PDF format.
5. After entering the details in the Annexure -I and Annexure –II, press the option DRAFT, in the Annexure -II form, by which the System will generate the DRAFT report for rechecking your entries. A Unique Application Number is automatically generated by this System. You should remember your Application Number as well

as your Password for further modifications as well as for taking prints of the Submitted Application.

6. Application Number and the Password may be kept secret; Application Number must be mentioned in all your future communications to PWD.
7. After checking the Draft, select the option FINAL in order to finale your application.
8. Before submitting the application as FINAL you can edit your application and make changes if required in the Annexure-I and Annexure -II through the MODIFICATION option in the Main Menu.
9. Once YOU submit the application as FINAL no further changes is allowed.
10. Once you enter the option FINAL, then the PWD logo will appear on your printout along with FINAL displayed in the top right corner of the page.
11. Application will be processed only after submission of application as FINAL.

Procedure for online Submission of processing fees

1. Log on to home page of PWD website www/mahapwd.com
2. Go to " Quick payment" link on the home page

ANNEXURE- I (Refer Rule 5.1)
(Refer Rule 5.1)
Application for Enlistment in All Categories and Classes

(Supporting Documents annexed with the application form should be listed in Annexure-II.)

CLASS: ....
CATEGORY: ....
JURISDICTION: ....

1. (a) Name of the Applicant ....
(b) Nature of Entity (Individual/ Sole Proprietorship Firm/Partnership Firm Firm/LLP Firm/ Company) ……………………………………………
(c) Registration No. for Firm/LLPIN for LLP /CIN for Company …………… (if applicable).

2. Nationality ....

3. Address
(i) Registered Office :..

(ii) Head Office: (if different from Registered office: ....
4. Contact Details:

(i) Telephone Number ....
(ii) Fax Number ....
(iii) Mobile Number ....
(iv) Website URL (If any) ....
(v) Email Id ....

5. PAN Number (Individual / Firm / LLP/ Company) ....

6. Name, scanned passport size photo and signature of the Individual(s)/ Partner(s) / Director(s) (Size of photo should be 2.5 X 3.5 cm having white background and printed name at bottom)

1.	2.	3	4
Paste photo	Paste photo	Paste photo	Paste photo
Name	Name	Name	Name

7. Is the Individual / Sole Proprietor / any Partner / Director of company:

viii) Dismissed Government Servant:
Yes .... No ....

ix) Removed from approved list of contractors:
Yes .... No ....

x) Demoted to a lower class of contractors:
Yes .... No ....

xi) Having business banned/suspended by any Government in the past:
Yes .... No ....

xii) Convicted by Court of Law:

xiii) Retired Engineer/official from Engineering Department of Government of Maharashtra within last one year:
Yes .... No ....

xiv) Director or Partner of any other company/firm enlisted with PWD or any other department:
Yes .... No ....

xv) Member of Parliament or any State Legislative assembly:
Yes .... No ....

If answer to any of the above is 'Yes' furnish details on a separate sheet:

8. a) Name of person holding power of attorney (if any): ....
b) Nationality: ....
c) Liabilities (if any): ....

9. Name of the Banker with full address, Banks Official E mail Id and phone number :
....

10 . Enlistment Processing Fee Enclosed Details:
Transaction Reference Number: ....

Transaction Date: ....
Amount: ....

11. Details of works completed, in progress and secured during the last 7 years (to be filled in the Proforma as given in Annexure-III (1 and 2). This list should include all the works whose gross amount of works done.

12 . Performance Certificates from clients in original or self-attested copy as per proforma given in Annexure-IV for works selected for evaluation of contractors performance (as

13. Certificates *(Strike out whichever is not applicable)*:

i) I/We (including all partners) certify that I/We have read the Rules of Enlistment of Contractors in PWD as amended up to date and shall abide by them.

ii) I/We certify that I/We are not enlisted / registered and will not get myself/ourselves registered as contractor(s) in the Department under more than one name in the same category.

iii) I/We certify that the information given above is true to the best of our knowledge. I/We understand that if any information is found incorrect, our enlistment is liable to be cancelled.

iv) I/We certify that

a) The constituents of the Firm/LLP /Company reflected in Sl. No. **1(b)** and 7 above are as applicable on the date of this application which tallies with the record of the registering authority. I/none of the partners/Directors retired as an Engineer of Gazetted rank or as any Gazetted Officer employed on Engineering or Administrative duties in last One year.

b) That we have neither under our employment any such person nor shall we employ any person within One year of his retirement except with the prior permission of the Government.

v) I/We undertake that I/We will, if we do not own, hire or otherwise arrange the required tool and plant required for the works we procure as a result of this enlistment. I/We undertaken that I/We will, if we do not employ, hire or otherwise arrange the required Engineering Establishment required for the works we procure as a result of this enlistment.

vi) I/We have attached Annexure-II duly completed and signed.

vii) I/We undertake that the works have not been got executed through another contractor on back to back basis.

Signature(s) of applicant(s) as applicable:

(Sole Proprietor OR All Partners OR Either All Directors or the Chief Managing Director if authorized specifically by a Board Resolution)

Sl.	Name	Signature & Date	Address
1.			
2.			
3.			
4.			

ANNEXURE-II {Refer Annexure-I Sl. 5.2}
List of Documents Attached for Enlistment
For online applications, downloaded copy duly completed to be used

Document Code	Annexure No.	Document Description	User Status	
			Yes	No
1		Power of attorney, if any or Board Resolution, if any, self-attested		
2	III	Annexure-III-1 (Completed Works) and III-2 (works under progress). (See Rule 9.0).		
3	IV	Original or self-attested copies of certificates for works done, from concerned Clients, in proforma as given in Annexure-IV (Annexure- I, Sl. No. 5,2) (see also Rule 5.2)		

Signature(s) of applicant(s) as applicable:

(Sole Proprietor OR All Partners OR Either All Directors or the Chief Managing Director if authorized specifically by a Board Resolution)

Sl.	Name	Signature & Date	Address
1.			
2.			
3.			
4.			

ANNEXURE-III-1 (Completed Works) (Refer Rule 9.0)

(1) Works completed during the last five years

S. No.	Name of work & Agreement No.	Date of start	Date of completion		Reasons for delay & compensation on levied, if any	Tendered Amount	Gross Amount of the completed work	Name, designation & complete address of the authority for whom the work was executed	Whether any litigation involved including arbitration
			Stipulated	Actual					

Certificate:

This is to certify that no adverse action on any of the above mentioned works has been taken by the concerned department against me/us. I/we understand that if any information is found incorrect, our enlistment is liable to be cancelled.

Applicant's Signatures (As per Annexure-1)

ANNEXURE-III-2 (Work Under Progress) (Refer Rule 9.0)

(2) Works in progress and secured during the last seven years

(It is mandatory to submit details of all such works irrespective of its cost)

S. No.	Name of work & Agreement No.	Date of start	Date of completion		Reasons for delay	Tendered Amount	Gross Amount of work paid	Percentage progress	Name, designation & complete address of the authority for whom the work is being done	Whether any litigation involved including arbitration
			Stipulated	Target						

Certificate:

This is to certify that no adverse action on any of the above mentioned works has been taken by the concerned department against me/us. I/we understand that if any information is found incorrect, our enlistment is liable to be cancelled.

Applicant's Signatures (As per Annexure-1)

ANNEXURE – IV (Refer Rule 9.0)
CLIENT'S CERTIFICATE REG. PERFORMANCE OF CONTRACTOR

Name & address of the Client ………………….............................…………
Name and address of Agency/Firm ………………….............................…………
Name(s) of Proprietor/Partners ………………………………………………

1. Name of work	
2. Services included	
i. Details of Civil Services included (Water supply and sanitary installation, Drainage work and Water proofing work	
ii. Whether Internal Electrical Installation included (Yes/No)	
iii. Details of E&M services included (Fire fighting, Fire alarm, HVAC, Lift, Electrical Sub Station and DG Set)	
3. Agreement No. and date	
4. Agreement amount	
5. Date of commencement of work	
6. Stipulated date of completion	
7. Actual date of completion	
8. Justified extended date of completion, if actual date of completion is after stipulated date of completion	
9. Details of Compensation levied for delay (indicate amount) if any	
10. Gross amount of the work completed and paid	
11. Name and address of the authority under whom work executed	
12. Did the contractor go for arbitration? (Yes or No)	
i. If yes, total amount of claim	
ii. Total amount awarded	
13. Performance of the Contractor	

Note: All columns should be filled in properly

Signature of the
Officer of the rank not below the level of
Executive Engineer or equivalent

(Attestation by applicant) (As per Annexure-1)

Annexure-IV-A (Refer Rule 14.0)

Assessment of Quality for Fresh Enlistment

Name of Work:-

Date of receipt of reference from Enlistment Authority:-

Date of Inspection:-

Date of submission of report:-

A. General Observation & Operational Aspects	**Yes/ No**	**Remarks**
1. Availability of approval from local bodies in case of Construction of Private Buildings.		
2. Availability of approved Structural drawings		
3. Observation on seepage/ leakage in the Building		
4. Whether Line & level Maintained		
5. In case of basement, observation on seepage, if any.		
6. Any Structural defects / distress observed. If yes give details		
7. Whether safety measures adopted at site as per PWD Safety Code and or govt. guidelines are adequate or not .		
8. Whether the Welfare facilities provided to labour as per Clause 19 H of GCC for PWD Works/and or govt. guidelines are adequate or not .		
9. Whether AHU getting automatically switched off and fire damps closed in case of fire signal		
10. Whether thimbles used for termination of wires in DBs, EBDs & Panels?		
B. Quality of Work for Building works (Maximum marks in each attribute=10) for guideline	**Marks Assessed**	
1. Quality of plaster/ finishing		
2. Quality of R C C / C C Work		
3. Quality of Flooring		
4. Detailing of reinforcement in each RCC work		
5. Quality of Wood Work		
6. Quality of Steel Work / Aluminium Work		
7. Quality of Plumbing and Sanitary Installation		
8. Quality of Workmanship		
9. Quality of Waterproofing		
10. If cladding done, observation on efficiency/ quality of cladding /Brick work		
11. Quality of internal electrification work		
12. Quality of DBs, EBDs& Panels?		
13. Quality of E&M equipments, panels & feeder pillar.		
14. Quality of fire alarm system/ fire fighting system		
15. Quality of Air Conditioning work.		
16. Quality of Sub-station based on complete live diagram, capacitor panel, power factor, insulating Mat, cleanliness, cable termination, earthing pits, earthing of transformer / DG sets.		
17. Any Other aspect (To be elaborated)		

B. Quality of Work for Bridge/Causeways/CD works (Maximum marks in each attribute=10) for guideline	Marks Assessed
1. Excavation and compaction of founding strata (excluding rock)	
2. Quality of RCC work/CC work in foundation	
3. Quality of RCC work/CC work in Substructure	
4. Quality of RCC work/CC work in Superstructure	
5. Workmanship in foundation	
6. Workmanship in Substructure	
7. Workmanship in Superstructure	
8. Quality of work in approaches	
9. Quality of RCC box return/solid return	
10. Workmanship in RCC box return/solid returns	
11. Quality of filling behind Abutment and in Returns	
12. Provision of weep holes in abutment/returns and pressure relief pipes in foundation	
13. Quality of annular filling	
14. Quality of Apron on U/S and D/S	
15. Quality of Protection work in approaches	
16. Detailing of reinforcement in RCC Structures	
17. Any other aspect (to be elaborated)	
B. Quality of Work for Roads (Maximum marks in each attribute=10) for guideline	**Marks Assessed**
1. Site clearance	
2. Earthwork in Subgrade/Side berms (Compaction/Proctor density/Side slope/Type of soil/Camber/Longitudinal /Side berms slope etc)	
3. Subbase: Quality of material as per type and thickness of layer, Quality of Subbase	
4. Base: Quality of material as per type and thickness of layer, Quality of Base	
5. Surface quality, quality of type of material, composition and thickness of layer	
6. Side Drains: As per cross section and invert line slope, Clear waterway (debris free) and joining to nearest nalla.	
7. Roadway: Clear at every section for vision /line of sight and free from debris	
8. Any other aspect (to be elaborated)	

Average Marks (To be awarded out of 100 Marks based on average of marks assessed on each attribute mentioned at B above).

Note:-All the above parameters may be considered for assessing the overall quality of work executed by the contractor. Relevant Documents & Photographs must be attached with the inspection report.

In case, any attribute is not applicable, the same may not be included in assessment and mentioned are not applicable (N/A)

ANNEXURE V (Refer Rule 13) PERFORMANCE REPORT OF WORKS FOR ENLISTMENT

PART I

(To be filled in by the contractor in duplicate in respect of each work cost of which falls within the range prescribed for eligibility as per Para 9.0 of Enlistment Rules. One copy be submitted to Reporting Officer and other, containing acknowledgement of receipt and seal of office of reporting officer, be submitted to Enlistment Authority).

1.	Period	
2.	Name & Address of contractor	
2.1	Name(s) of Proprietor/partners	
3.	Class, Category and Enlistment No.	
4.	Name & address of enlisting authority	
5.(A)	Name of Work	
5(B)	Services included (for composite works only)	
i.	Civil Services included (Water supply and sanitary installation, Drainage work and Water proofing work	
ii.	Internal Electrical Installation included	Yes/No
iii.	E&M services included (Fire fighting, Fire alarm, HVAC, Lift, Electrical Sub Station and DG Set)	
6.	Agreement No.	
7.	Name & Address of P.W.D. Division	

S.N.	ITEM	
8.1	Estimated Cost	
8.2	Tendered amount	
8.3	Stipulated date of Commencement	
8.4	Stipulated date of Completion	
8.5	Actual date of completion	
8.6	Percentage progress with date, if work not complete	
8.7	Gross amount of final bill/work done	
8.8	Amount of compensation levied, if any	
8.9	Amount of reduced rate items, if any	
8.10	Did the contractor go for arbitration?	
8.11	If yes, total amount claimed and amount awarded.	
9	Designation **and** email address of	
9.1	Reporting officer	
9.2	Reviewing officer	
9.3	Enlistment Authority	

Signature of the contractor

PART II

(To be filled by the department)

9.0 Certified that details given by the contractor in Part - I have been verified and found to be correct/have been corrected wherever necessary. Delay is partly /not/ fully attributable to contractor.

Signature of Divisional/Sub Divisional Engineer

10.0 Note : After submission of Annexure VII by contractor, reporting officer shall write the Report and forward to Reviewing officer within a week's time. Reviewing officer shall then forward the report to the Enlisting authority within a week's time.

Category	I(a)	I(b)	I(c)	II(a)	II(b)	III(c)	II(a)
Reporting Officer	DE	DE	DE	EE	EE	SE	SE
Reviewing Officer	EE	EE	EE	SE	SE	CE	CE
Report to be sent to o/o Enlistment Authority.	EE	EE	EE	SE	SE	CE	CE

PART – III

(To be filled by the department)

(Serial 1 to 7 is repeat information of Part I for proper linkage and confirmation)

1.	Period	
2.	Name & Address of contractor	
3.	Class, Category and Enlistment No.	
4.	Name & address of enlisting authority	
5.	Name of Work	
6.	Agreement. No.	
7.	Name & Address of P.W.D. Division	

CONTRACT PERFORMANCE:

S.N.	Status of Contract	Remark (Yes/No/NA)
11.1	Successful Completion of Work	
11.2	Determination of Contract	
11.3	Part work done at the risk and cost of Contractor	

12.0

A. GENERAL OBSERVATION & OPERATIONAL ASPECTS (TO BE FILLED BY REPORTING OFFICER)

Aspects for observation	**Yes/ No**	**Remarks**
1. Availability of approval from local bodies in case of Construction of Private Buildings.		
2. Availability of approved Structural drawings		
3. Observation on seepage/ leakage in the Building		
4. Whether Line & level Maintained		
5. In case of basement, observation on seepage, if any.		
6. Any Structural defects / distress observed. If yes give details		
7. Whether safety measures adopted at site as per PWD Safety Code and or govt. guidelines are adequate or not .		
8. Whether the Welfare facilities provided to labour as per Clause of contract for PWD Works/and or govt. guidelines are adequate or not .		
9. Whether AHU getting automatically switched off and fire damps closed in case of fire signal		
10. Whether thimbles used for termination of wires in DBs, EBDs & Panels?		
	(Signature of Reporting Officer) **Name and Designation**	
B.Quality of Work (Maximum marks in each attribute=10)	**Marks Assessed**	
	By Reporting Officer	**By Reviewing Officer**
1. Quality of plaster/ finishing		
2. Quality of R C C / C C Work		
3. Quality of Flooring		
4. Quality of Wood Work		
5. Quality of Steel Work / Alumi/nium Work		
6. Quality of Plumbing and Sanitary Installation		
7. Quality of Workmanship		
8. Quality of Waterproofing		
9. If cladding done, observation on efficiency/ quality of cladding /Brick work		
10. Quality of internal electrification work		
11. Quality of DBs, EBDs& Panels?		
12. Quality of E&M equipments, panels & feeder pillar.		
13. Quality of fire alarm system/ fire fighting system		
14. Quality of Air Conditioning work.		
15. Quality of Sub-station based on complete live diagram, capacitor panel, power factor, insulating Mat, cleanliness, cable termination, earthing pits, earthing of transformer / DG sets.		
16. Any Other aspect (To be elaborated)		
Average Marks*		

(*To be awarded out of 100 Marks, based on average of marks assessed on each attribute mentioned at B above)

Note:-

1. All the above parameters may be considered for assessing the overall quality of work executed by the contractor.
2. In case of difference in scores of quality by Reporting officer and reviewing officer, average of the two will be considered.
3. Average marks obtained shall be rounded off to next full marks.

In case, any attribute is not applicable, the same may not be included in assessment and mentioned as " Not applicable (N/A)"

GRADING ON CAPABILITY OF CONTRACTOR

13.0	**Parameters**	**Marks Assessed on a scale of 20**	
		By Reporting Officer	**By Reviewing Officer**
i.	Technical proficiency		
ii.	Financial soundness		
iii.	Mobilizations of adequate T & P		
iv.	Mobilizations of man power		
v.	General behavior		
	Total Marks		

Note:-

1. In case of difference in scores on capability by Reporting officer and Reviewing officer, average of the two will be considered.
2. Average marks obtained shall be rounded off to next full marks.

Signature of Reporting Officer
(Name and Designation)

Signature of Reviewing Officer
(Name and Designation)

ANNEXURE – VI (Refer Rule 14)
CRITERIA FOR EVALUATION OF
CONTRACTOR'S PERFORMANCE FOR ENLISTMENT

Name of Contractor:
Present Class & Category in which Enlisted if any:
Details of Works assessed:

<table>
<tr><th>Item No.</th><th>Parameter</th><th colspan="2">Calculation for Points</th><th colspan="2">Score</th><th>Max. Marks</th></tr>
<tr><td>1</td><td>Levy of Compensation</td><td colspan="2">Compensation levied for Delay = C
Tendered Amount = E
B = 100 x (C/E)</td><td colspan="2">20 if B = 0
10 if B = 5 or more
12 if C is not decided.
Marks for values in between are to be determined by Straight line variation.</td><td>20</td></tr>
<tr><td rowspan="3">2</td><td rowspan="3">Contract Performance</td><td>I</td><td>Successful Completion of Work or</td><td colspan="2">(a) without litigation = 30
(b) with litigation = 15</td><td rowspan="3">30</td></tr>
<tr><td>II</td><td>Part work done at the risk and cost of Contractor or</td><td colspan="2">= 12</td></tr>
<tr><td>III</td><td>Determination of Contract</td><td colspan="2">= 0.0</td></tr>
<tr><td>3</td><td>Quality</td><td colspan="2">(Based on assessment in Annexure-IV-A)
For works scoring marks less than 70%; these works shall not counted for quality assessment
A) Ongoing Works
(i) For works scoring marks in range of 70% to 80%; 10 marks shall be given
(ii) For works scoring marks in range of 80% to 100%; 20 marks shall be given
(iii) Marks for values in between are to be determined by Straight line variation
B) Completed Works
(i) For works scoring marks in range of 70% to 80%; 10 marks shall be given
(ii) For works scoring marks in range of 80% to 100%; 20 marks shall be given
(iii) Marks for values in between are to be determined by Straight line variation</td><td>Ongoing Works (Max Marks. 20)</td><td>Completed Works (Max Marks 30)</td><td>50</td></tr>
</table>

Note:

I. Marks for values in between are to be determined by Straight line variation.

II. Eligibility Criteria for Enlistment will be minimum 60% in each parameter and minimum 70% marks as overall average of all parameters.

III. The agency should secure minimum 70% marks as mentioned at note No. II above in respect of each eligible work claimed for experience of works.

IV. Average marks obtained shall be rounded off to next full marks.

V. Litigation includes only Court cases and Arbitration.

VI. In case of eligible works being more than 1, then average scores obtained against Sl. No. 1 & 2, will be considered for purpose of qualification required at Sl. No. II above.

VII. In case of eligible completed works at Sl. No. 3 being more than one the maximum marks will be equal distributed among the eligible works.

GUIDELINES FOR DEPARTMENTAL OFFICERS FOR ENLISTMENT OF CONTRACTORS

1.0 **General**

The enlistment of contractors in various categories enlistment shall be regulated as per Enlistment rules – 2020

2.0 **Inspection of works**

Works executed by the contractors during last five years have to be inspected by the concerned Executive Engineer & his subordinate staff..

3.0 Inspection Teams and Reports

The Inspection teams for inspecting the non-PWD completed & ongoing works of the contractor and furnishing their reports on quality of construction, workmanship etc., to the enlistment authorities shall be as below:-

A. For Category-1 :

Works costing upto Rs. 1.50 Crores

I. Executive Engineer

II. Concerned Dy. Engineer

B. For Category-2 :

Works costing upto Rs. 1.50 Crores to 15.00 Crores

I. Superintending Engineer

II. Executive Engineer.

Works costing more than Rs. 15.00 Crores

I. Chief Engineer.

II. Superintending engineer

INSPECTION REPORTS

i. Inspecting Officer shall inspect the site along with other nominated officer and submit the inspection report to Enlistment Authority. The inspection team will give detailed Inspection Report of work inspected and make categorical comments and recommendations in the prescribed format. Similar detailed formats may be evolved depending on nature of work and class and category of enlistment.

ii. Inspecting Officers will also ascertain from copy of agreement Architectural/structural drawings and other documents like Form 16A (Tax Deducted at Source by Client) and/or Form 26AS (Annual Tax Statement for applicants PAN number) that the work being inspected has actually been done by the applicant contractor. It will be obligatory on part of concerned inspecting officer to send Inspection Report to Enlistment authority immediately but not later than one month from the date of issue of letter by Enlistment authority.

iii. Scanned copy of Inspection report can be submitted to Enlistment authority through e-mail which can be confirmed by Enlistment authority from respective office.

6.0 **Advisory Committee**

The advisory Committee as constituted below, shall assist the Enlistment authority in scrutinizing the cases, make recommendations regarding suitability of the contractor, evaluate performance reports of contractors, inspection reports of PWD officers and advise the enlistment authority in Enlistment process, revalidation process and weeding out the contractors.

7.0 **Scrutiny of Cases**

As and when an application is received from contractor, the same should be scrutinized and if some documents/information is missing, the applicant shall be intimated of the deficiencies within 15 days. If all the documents are complete, an acknowledgment shall be issued to the contractor within one month of date of receipt of complete application. No application received without processing fees as per Rules or without application in Annexure-I shall be processed and the applicant shall be intimated accordingly within 15 days of receipt of application.

8.0 **Performance Reports**

i. Under the Enlistment Rules, it is mandatory for contractors to submit the performance report for each work executed by him. The reporting officer shall write the Performance Report and forward to his reviewing officer who shall forward it to the Enlisting Authority after review.

ii. It will be obligatory on part of concerned EE and SE/CE to send PR to enlisting authority immediately but latest within one and two months respectively. In case the contractor has not applied for PR, the EE shall initiate the PR at his own initiative.

iii. Scanned copy of performance report can be submitted to enlisting authority through e-mail which can be confirmed by enlisting authority from respective office.

9.0 Registers of Enlisted Contractors

Each Office shall maintain registers showing the enlistment of various contractors in different classifications. Whenever contractors are debarred or temporarily suspended from the list of approved contractors, a remark shall be made in the register against the contractors concerned.

Each Division, Circle, Regional Office should maintain a register for Circulars imposing penalty of one kind or the other on the contractors in the following format.

1. Sl. No.
2. Name of the Contractor.
3. Category and Class of Registration.
4. Warnings issued.
5. Suspension of business for years.
6. Demoted from Class ……. To Class ……. .
7. Debarred/Blacklisted.
8. No. & date of Office Circular.
9. Remarks.

It would be the personal responsibility of the EE to see that he has received all the circulars under the said series. At the time of handing over charge, the file should be handed over to his successors.